

**White Earth Reservation Tribal Council**

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Terrence Tibbetts

DISTRICT III

Kenneth Bevins

Beverly Jones Heydinger, Chair
Minnesota Public Utilities Commission
121 7th Place East, Suite 350
Saint Paul, Minnesota 55101-2147

Dear Chair Heydinger:

As Chairwoman of the White Earth Reservation Tribal Council, I can appreciate the many issues you must face as Chair of the Minnesota Public Utilities Commission.

I am writing today to ask for the comment period with respect to the routing permit requested by the North Dakota Pipeline Company for a petroleum pipeline between Tioga, North Dakota and Superior, Wisconsin be extended beyond the current April 4, 2014 deadline.

This company has done no outreach to the White Earth Tribal Nation or any other Tribal Nation in Minnesota. These lands are sacred to us. The pipeline company proposes to locate the pipeline through lands upon which our tribal members have off-Reservation gathering rights. The issue of locating a pipeline to transport crude oil through the Mississippi Headwaters Country cannot be rushed.

The information on this issue has been repeatedly changed by the pipeline company. We are very concerned about the potential for environmental destruction similar to the dumping of over 1.5 million gallons of oil from a ruptured oil pipeline through the Kalamazoo River. We are not speculating. Disasters of this magnitude have actually occurred.

Therefore, I am requesting that no action be taken by the Minnesota Public Utilities Commission at this time. At a minimum, this company needs to do serious outreach to Tribal Nations. Given the information I have received at this time, I am certain all Tribal Nations in Minnesota would oppose the location of the route now proposed by the North Dakota Pipeline Company.

I look forward to discussing this issue with you in the future, but we are very concerned the comment period not close on April 4 for many reasons.

Sincerely,

A handwritten signature in black ink, appearing to read "Erma J. Vizenor". The signature is fluid and cursive, with the first name "Erma" being more prominent.

Erma J. Vizenor
Chairwoman

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WERTC Resolution

ND Pipeline Opposition

**WHITE EARTH RESERVATION TRIBAL COUNCIL
A/K/A WHITE EARTH BUSINESS COMMITTEE
WHITE EARTH BAND OF CHIPPEWA INDIANS**

Resolution No. 001-14-012

- WHEREAS,** the White Earth Reservation Tribal Council is the duly elected governing body of the White Earth Reservation pursuant to Article IV, Section 1, of the revised constitution of the Minnesota Chippewa Tribe, as amended, and organized under Section 16, of the Act of June 18, 1934 (48 Stat. 984), and
- WHEREAS,** the White Earth Reservation Tribal Council, also known as the White Earth Reservation Business Committee, is the duly authorized governing body of the White Earth Band, and
- WHEREAS,** the White Earth Reservation Tribal Council, as the duly elected governing body of the White Earth Reservation has the power under the constitution and by-laws to promulgate resolutions governing the conduct of business on the Reservation; as well as conduct taking place within or having a direct impact upon the 1855 Treaty Ceded territory, and
- WHEREAS,** the White Earth Reservation Tribal Council has reviewed the application filed by North Dakota Pipeline Company LLC with the Minnesota Public Utilities Commission ("PUC") with respect to a routing permit for a petroleum pipeline between Tioga, North Dakota and Superior, Wisconsin, and
- WHEREAS,** the White Earth Tribal Government and staff have been active in work to protect the environment for our present Tribal members and for our future generations through the approval and implementation of a body of tribal laws and regulations, and
- WHEREAS,** the White Earth Reservation Tribal Council is concerned about the potential impact to lands, wetlands and waters if a leak or rupture of North Dakota Pipeline Company's pipeline were to occur near the White Earth Reservation or in the 1855 Treaty Ceded territory, and
- WHEREAS,** the White Earth Reservation Tribal Council is mandated to take steps to protect tribal members; and to protect habitat for animals, plants and especially wild rice from the devastating potential effects of a pipeline leak or rupture, and
- WHEREAS,** the White Earth Reservation Tribal Council has not been provided with any assurances by the North Dakota Pipeline Company or any other party that additional pipelines for the transportation of crude oil, tar sands and diluents will be any safer than the current pipelines which have leaked and ruptured on countless occasions, now

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WERTC Resolution
ND Pipeline Opposition

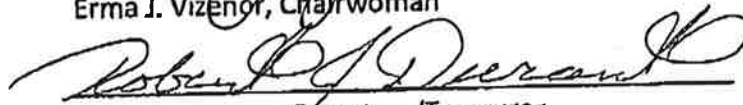
THEREFORE BE IT RESOLVED, that the White Earth Reservation Tribal Council hereby declares that it is opposed to the application filed by the North Dakota Pipeline Company with the Minnesota PUC with respect to a routing permit for the Sandpiper petroleum pipeline between Tioga, North Dakota and Superior, Wisconsin, and

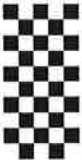
BE IT FURTHER RESOLVED, that the White Earth Reservation Tribal Council hereby directs Tribal environmental and legal staff to formally intervene in the proceedings now pending before the Minnesota PUC involving the North Dakota Pipeline Company's application for a routing permit for the purpose of informing the PUC of the White Earth Nation's opposition to the grant of such permits, now

BE IT FINALLY RESOLVED, that the White Earth Reservation Tribal Council further directs Tribal environmental and legal staff to document the potential harmful impacts to the White Earth Nation, its people, its natural environment, its water, both within the boundaries of the White Earth Reservation and in the 1855 Treaty Ceded territory.

We do hereby certify that the foregoing resolution was adopted by a vote of 3 for, 0 against, 0 silent, a quorum being present at a special meeting of the White Earth Reservation Tribal Council held on February 13, 2014 in Notrondan Minnesota.


Erma J. Vizenor, Chairwoman


Robert J. Durant, Secretary/Treasurer



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FAX NO.

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MINNESOTA PUBLIC
UTILITIES COMMISSION

TO: Burl Haar URGENT

From: **Barbara Rohde**
(202) 255-6971

Number of sheets including cover sheet 5